



HIPAA AWARENESS TRAINING

ND Department of Health
March 2003

HIPAA Coordinator & Officers

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HIPAA 101

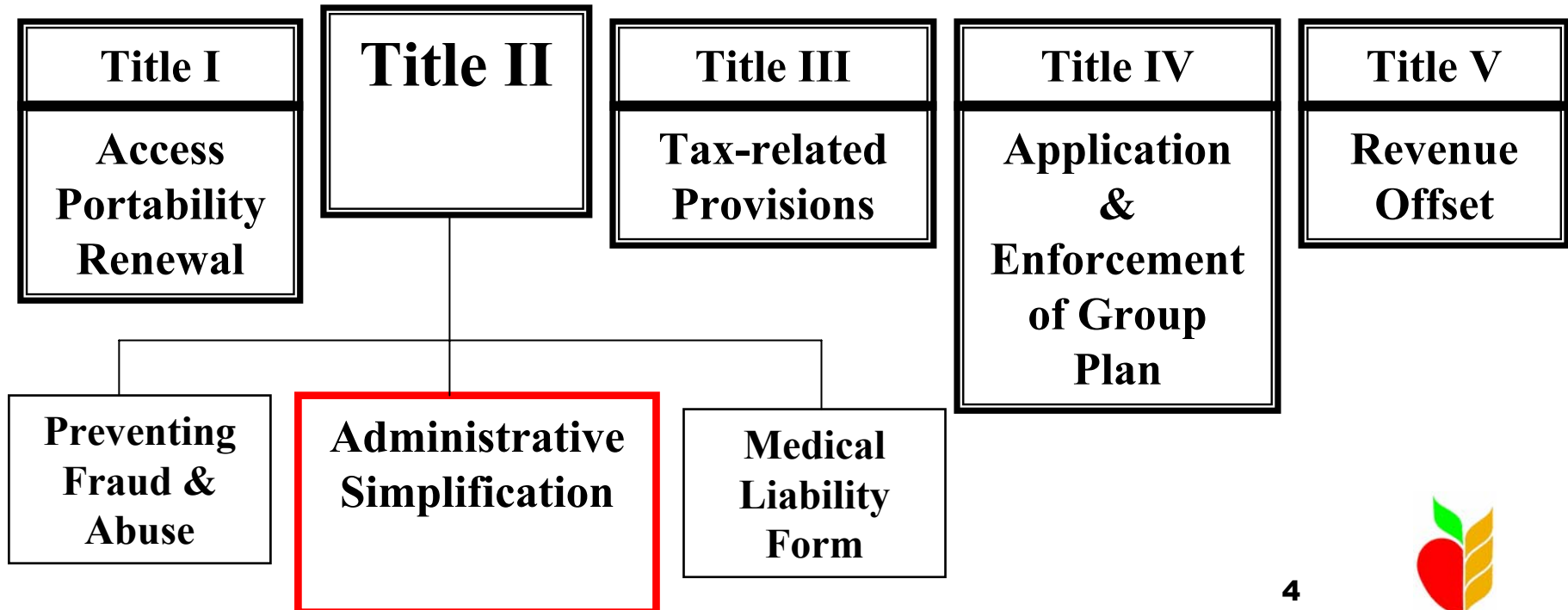
- Health Insurance Portability and Accountability Act of 1996
- Four Parts to HIPAA Administrative Simplification:
 - Electronic Transactions and Code Sets Standards
 - Privacy requirements
 - Security requirements
 - National Identifier requirements



Background

Healthcare
industry
initiative → Congress passes
HIPAA Law

HIPAA Public Law 104-191



HIPAA 101

- Final Privacy rule – August 14, 2002
- Covered entities must comply by April 14, 2003
- Final Security rule – February 20, 2003 effective April 21, 2005
- Final Transactions and Codes Sets – August 17, 2000 effective October 16, 2002
- Extension of October 2003



HIPAA Administrative Simplification

- Privacy requirements
- Limit the release of patient protected health information without patient's consent
- Patient's personal information must be more securely guarded and more carefully handled



HIPAA Administrative Simplification

- Electronic Transactions and Code Sets Standards Requirements
- National standards for formats and data content
- Providers who do business electronically must use the same health care transactions, code sets and identifiers
- Common language for health care industry to make it easier to transmit information electronically



HIPAA Administrative Simplification

- Security requirements
- Outlines minimum administrative, technical and physical safeguards required to prevent unauthorized access to protected health care information
- Ensure confidentiality, integrity and availability of electronic PHI
- Ensure compliance by the workforce



HIPAA Administrative Simplification

- National Identifier Requirements
- Will require health care providers, health plans and employers have standard national numbers that identify them on standard transactions
- The Employer ID # was selected as identifier for employers



What does this regulation do?

- Must comply with the regulation by April 2003
- Gives patients more control over their health information
- Sets boundaries on the use and release of health records
- Establishes safeguards that health care providers must achieve
- Holds violators accountable (penalties)



What does this regulation do?

- For patients, it means being able to make informed choices when seeking care and reimbursement
- Enables patients to find out how their information may be used
- Gives patients the right to examine and obtain a copy of their own health records and request corrections



Why is this regulation needed?

- Personal information moves across hospitals, doctor's offices, insurance payers and state lines
- We have relied on a patchwork of laws allowing health information to be distributed
- Health care providers have a strong tradition of safeguarding private health information



What does this regulation require the average provider to do?

- Provide information to patients about their privacy rights
- Adopt clear privacy procedures
- Train employees so they understand privacy
- Designate an individual to see that privacy procedures are adopted and followed
- Secure patient records



Who must comply with these new privacy standards?

- Covered entities are: health plans, health care clearinghouses and
- Those health care providers who conduct certain financial and administrative transactions electronically
- Bound by the new privacy standards



When will covered entities have to meet these standards?

- Most covered entities have 2 full years or until April 14, 2003
- Small health plans will have 3 full years or until April 14, 2004



Who is Impacted by HIPAA?

1. Health care providers transmitting health information in electronic form (Division of Microbiology)
2. Health plans
3. Health care clearinghouses



Who is Impacted by HIPAA?

- NDDoH is a hybrid entity
- Hybrid entity is a single legal covered entity who business activities include both covered and noncovered functions
- NDDoH covered functions are performed by the Division of Microbiology



What is protected health information?

- Protected health information is referred to as “phi”
- Includes all health and individual information whether it is stored on paper or computer
- May be found in medical records, e-mails, computers, in files, in desks



NDDoH Policies and Procedures

- HIPAA team developed 27 policies and procedures for the NDDoH
- Reviewed by the HIPAA Privacy Workgroup
- Mike Mullen, Attorney General's Office, reviews for legality
- Dr. Dwelle and Arvy Smith give final approval



Uses and Disclosures for Research Activities

- NDDoH may use or disclose PHI for research purposes
- NDDoH to establish an Institutional Review Board (IRB) chaired by Arvy Smith
- NDDoH to establish a Privacy Board



HIPAA Complaint Process

- Individual has a right to file a complaint
- Department will not retaliate against the complainant
- Submit your complaint(s) to the NDDoH Privacy Officer, or
- The federal Department of Health and Human Services



Contact the HIPAA Team

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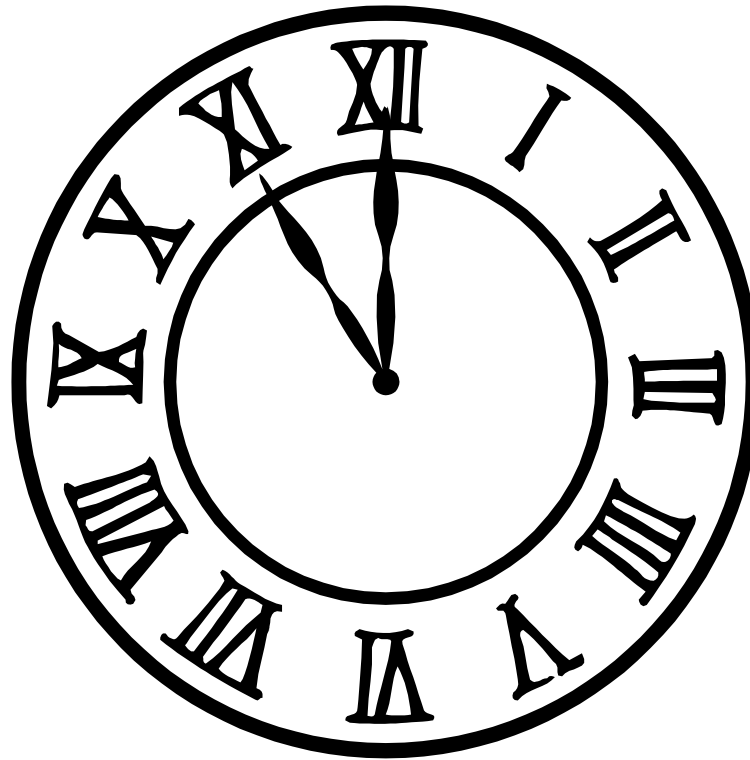


Check the Web

We're on the web at
[www.health.state.nd.us/
ndhd/admin/hipaa](http://www.health.state.nd.us/ndhd/admin/hipaa)



Time is running out - are you
HIPAA compliant?



HIPAA Fact or Fiction

- You will still have access to the patient information you need to do your job.
- Sharing computer passwords is appropriate business practice.
- You will only have to think about HIPAA once a year.
- HIPAA was written to make your life difficult.
- No one will know if we are not compliant.





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